

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	CRIMINAL NO. 3:11-685-CMC
)	
v.)	OPINION and ORDER
)	
Raheem Majeed,)	
a/k/a "Mitch,")	
)	
Defendant.)	
_____)	

Defendant seeks relief in this court pursuant to 28 U.S.C. § 2255. Defendant alleges that the court committed various errors during Defendant's plea hearing and sentencing. *See generally* Dft's Mot. for Relief, ECF No. 448. The Government filed a motion to dismiss, arguing that Defendant's motion is barred pursuant to the terms of his plea agreement. ECF No. 455. Pursuant to *Roseboro v. Garrison*, 528 F.3d 309 (4th Cir. 1975), Defendant was notified of the deadlines for, and importance of, responding to the Government's motion. Defendant has not responded to the Government's motion and the time for doing so has expired.

The court has reviewed the complete record in this case. For the reasons stated by the Government, with which the court agrees, the court finds the Government is entitled to dismissal of Defendant's motion.

Accordingly, the Government's motion to dismiss is **granted**. The motion under 28 U.S.C. § 2255 is *dismissed with prejudice*.

CERTIFICATE OF APPEALABILITY

The governing law provides that:

(c)(2) A certificate of appealability may issue . . . only if the applicant has made a substantial showing of the denial of a constitutional right.

(c)(3) The certificate of appealability . . . shall indicate which specific issue or issues satisfy the showing required by paragraph (2).

28 U.S.C. § 2253(c). A prisoner satisfies this standard by demonstrating that reasonable jurists would find this court's assessment of his constitutional claims is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir. 2001). In this case, the legal standard for the issuance of a certificate of appealability has not been met. Therefore, a certificate of appealability is **denied**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
August 18, 2015